

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JASON BRISMAN,

Plaintiff,

9:15-cv-00712 (BKS/DEP)

v.

AARON McCABE and ANTHONY VOLPE,

Defendants.

Hon. Brenda K. Sannes, United States District Judge:

VERDICT SHEET

FIRST AMENDMENT RETALIATION

Question 1

Do you find that Plaintiff Jason Brisman has proven by a preponderance of the evidence each and every element of his First Amendment retaliation claim under 42 U.S.C. § 1983 as against Defendant McCabe?

Yes _____ No X _____

If you answered YES to Question 1, proceed to Question 2. If you answered NO to Question 1, proceed to Page 3.

Question 2

Compensatory Damages

What amount, if any, do you award as compensatory damages against Defendant McCabe?
(*Please Note:* If you find that Plaintiff's rights were violated, but that Plaintiff has failed to prove by a preponderance of the evidence that he suffered any actual damages, then you must return an award of damages in the sum of \$1.00, evidencing that liability has been proved.)

\$ _____

Proceed to Question 3.

Question 3

Punitive Damages

Do you find that Plaintiff Jason Brisman is entitled to an award of punitive damages against Defendant McCabe?

Yes _____ No _____

FIRST AMENDMENT MAIL INTERFERENCE

Question 1

Do you find that Plaintiff Jason Brisman has proven by a preponderance of the evidence each and every element of his First Amendment mail interference claim under 42 U.S.C. § 1983 as against Defendant Volpe?

Yes _____ No X

If you answered YES to Question 1, proceed to Question 2. If you answered NO to Question 1, your deliberations are complete, and you do not need to answer Questions 2 or 3. The Foreperson should sign and date this Verdict Form and inform the Court Security Officer that a unanimous verdict has been reached.

Question 2

Compensatory Damages

What amount, if any, do you award as compensatory damages against Defendant Volpe? (*Please Note: If you find that Plaintiff's rights were violated, but that Plaintiff has failed to prove by a preponderance of the evidence that he suffered any actual damages, then you must return an award of damages in the sum of \$1.00, evidencing that liability has been proved.*)

\$ _____

Proceed to Question 3.


Question 3

Punitive Damages

Do you find that Plaintiff Jason Brisman is entitled to an award of punitive damages against Defendant Volpe?

Yes _____ No _____

The Foreperson should sign and date this Verdict Form and inform the Court Security Officer that a unanimous verdict has been reached.

Foreperson:  _____

Date: 2-27-19

***NAME REDACTED